LORI BERENSON

No singing, no laughing, no sound

In 1995, Lori Berenson, a US citizen, was arrested and sentenced to life imprisonment by a 'hooded' court for allegedly conspiring with the Tupac Amaru Revolutionary Movement to take over the Peruvian Congress. In May this year, US pressure resulted in a retrial on the lesser charge of 'terrorist collaboration'. Here, for the first time since her imprisonment, and through the voices of women who shared it with her, she writes of the conditions in which thousands of detainees convicted under Peru's anti-terrorist laws continue to be held

Peru, like many other Latin American countries, has a rich, pre-Hispanic cultural history, largely rejected or ignored since the Spanish conquest. For centuries, Peru's native majority have suffered inequality and ingrained injustice. Even during colonial times, as well as post-independence, there were rebel movements, two of which have become prominent over the past three decades or so: the Maoist Peruvian Communist Party (Shining Path) and the smaller Tupac Amaru Revolutionary Movement (MRTA).

In 1992, then president Alberto Fujimori disbanded all branches of government, rewrote the constitution and took over control of the state in an internal coup. Having destroyed all opposition and neutralised the rebel groups in a 'dirty war' that included arbitrary detention, torture, disappearances and extra-judicial executions, he imposed his neo-liberal economic policies. The Supreme Presidential Decrees 'legalised' the violation of fundamental rights, as did anti-terrorist laws which abolished due process and prescribed long prison sentences with no access to parole or other legal benefits. Judges were given carte blanche to convict

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even when there was insufficient evidence through the use of 'criteria of conscience', in other words, the personal and arbitrary decision of a judge.

Hooded military and civilian judges condemned thousands in summary trials. The anti-terrorist laws were applied retroactively to those detained before the coup. People were arrested on the hearsay of other detainees. These were called 'repentants' and, in return for their testimony, were promised privileges. Six of the nine women whose testimony appears here were arrested as a result of 'repentant' hearsay. Seven of them were condemned by 'criteria of conscience' in either civilian or military courts.

With the exception of the six leaders held in military jails, political prisoners were put in maximum security prisons where a repressive 'closed prison regime' was enforced. With only half an hour's respite, prisoners were locked up all day in small cells with no light. Visits by adult family members were allowed once a month and children only once every three months. Visits were for half an hour through metal grilles. Visits and yard time could be arbitrarily suspended. All newspapers, magazines, radio and TV were prohibited. Letters, books, work materials, even pens and paper, were limited and randomly prohibited. As prosecutor Navas said in my recent trial: 'Prisoners have no rights.'

Although Fujimori's dictatorship has ended and a new government was elected in June, prisoners' futures remain uncertain. They are still subject to the anti-terrorism laws and carry the stigma of being labelled 'terrorist' by a government that blamed the rebel groups for all the country's ills.

The following testimonies come from political prisoners I've been held with in maximum security prisons. They take us to Yanamayo in the high plains, Socabaya in the southern province of Arequipa, Chorrillos women's prison and Castro Castro men's prison in Lima, and the prison at the naval base in Callao, also near the capital. The women who speak below are all accused – as am I – of being members of the MRTA.

'I was detained in the provinces and brought to the local army base for interrogation. In addition to the beatings, they put my head in filthy

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water (*la tina*, or the tub) until I lost consciousness. They brought me to Lima and, before being taken to DINCOTE (anti-terrorist police headquarters), I was tortured in the underground cells of the National Intelligence Service (SIN). I had wounds from where they cut me.' **CCH**

'I was first detained in June 1986, right after the MRTA took over a radio station to denounce Alan Garcia's government's massacre of Shining Path prisoners. They beat me, took me to the beach, threatened to drown me. They were known to tie up detainees and throw them into the ocean. Later in DINCOTE they hung me by my wrists, hands tied together behind my back (*la colgada*) and put me through *la tina*.

'The 1992 closed regime was brutal and relentless. Unlike when they tried to institute it in 1986, in 1992 not all prisoners fought against it. The Shining Path's imprisoned leadership signed a "peace agreement" with Fujimori in 1993 that made them change the tone of their demands. It was basically the MRTA and "non-peace accord Shining Path" prisoners who struggled to change the prison regime from inside the jails. In the MRTA, we looked for moral strength in the example of our suffering country, of our heroes. We held on to our convictions, ideals and morale to beat the situation and change it. It had to change. Today, despite the difficulties prison entails, we have the satisfaction of knowing we had the strength to overcome obstacles. They weren't able to break us. We overcame bars, chains and tomb-like jails . . .' **YCS**

'I was detained in Puno, six months pregnant. They beat me anyway and constantly threatened to make me abort. They pointed to my belly exclaiming: "That larva won't see the light of day."' **PHT**

'I was found by the police lying in the yard of the house they attacked. I was wounded trying to escape with five bullet wounds and several fractures. Pressured by the police, the doctors in the hospital patched me up without really examining me. More than a week passed before the hospital director himself, alerted by strange particles of excrement in my urine, found that the bullet that entered my groin had passed through my bladder and uterus and lodged in my colon. Ten days after being shot, I had surgery to extract the bullet and to open my colon. From then on, I have used a colostomy bag. Two days after the operation, the police interrogated me. I don't even remember what they asked. I was

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unable to speak. A day or so later I was taken to DINCOTE in spite of the hospital director's objections. They left me alone on a filthy mattress in a dirty cell. I was too weak to lift my head or yell for help, much less eat on my own.

'When the three of us were brought to Chorrillos in 1996, we were punished, held for two years in the Shining Path pavilion. We weren't allowed to read or write. Only knitting materials were permitted after three months. One young woman with me became anaemic, the other contracted tuberculosis. Officials refused to take me to the hospital to repair my colon, so I had to use colostomy bags for nearly two years. To harass me the prison personnel would "lose" the bags the Red Cross brought.' **LRL**

'I lost my three-month-old foetus because of the beatings and attempted rape.' **MPG**

'I was tortured in front of my husband. They beat me on the street in the police car. In DINCOTE they stripped me naked and gave me *la colgada*. While blindfolded, I heard them say: "Unless you talk, we'll keep torturing her." They made my husband watch the whole time . . .' **MCG**

'I was detained in 1991 when all political prisoners were in Castro Castro. After the April 1992 coup it became a closed regime. There was a state of emergency throughout Peru, including jails, which meant that the constitution and all laws were violated. They suspended all constitutional guarantees including habeas corpus. Nobody, not lawyers, families, or human rights groups had access to us. We were in grave danger. In May 1992, the government massacred about 100 Shining Path prisoners . . .

'The worst part of my detention wasn't *la colgada* that left my arms unusable for months; it wasn't the beatings that left me bruised, my eyes filled with blood and my lips cut. It was the sexual abuse, constant since the day I was detained. At DINCOTE the police stripped me naked, blindfolded and handcuffed me, and tossed me around in a vulgar, perverse way. They touched and pulled at me, climbed all over me. It was sickening, especially because it apparently sexually excited them to see me suffer. This was repeated several times and also combined with

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other forms of torment, the worst being thrown on the floor, face down, naked and blindfolded. They took the handcuffs off and one of the torturers sat on my thighs and buttocks and pulled my arms up. They questioned and insulted me, made me scream with pain as they dislocated my arms meanwhile getting sexually excited and ejaculating on my back. It wasn't one or two policemen, it was several at each session. It was obscene, much worse than the pain in my arms or the beatings.' **HFB**

'I had photos of my two sons in my wallet. The police claimed they were already looking for them, that they would bring them into DINCOTE to torture them to make me talk.

'MRTA prisoners were victims of more repression and reprisals after my husband Nestor Cerpa Cartolini led the capture of the Japanese ambassador's residence in December 1996, calling attention to the situation of political prisoners in Peru. I received the brunt of Fujimori's revenge against Nestor. Many of my relatives were detained that year. My children, forced into exile after my arrest in 1995, have never been able to visit me. In August 1999, I was isolated briefly at Socabaya and later at Castro Castro Men's Prison for over a year. I was constantly mistreated physically and psychologically. It was more of Fujimori's revenge against the MRTA. Because even though they riddled Nestor's body with bullets, they still feared him and his example.' **NGC**

'I was taken to Chorrillos in June 1992. For several months there was a 24-hour lock-up in cells (2m by 2.5m) built for two, but occupied by five or six. We could not speak between cells. Everything was prohibited: books, paper, pens, work materials, toiletries, food other than our meagre unhygienic rations. The diet consisted of tea and bread in the morning, rice and potatoes in the afternoon, tea at night. Malnourishment took its toll. I was pregnant and had lost my amniotic fluid twice during detention in DINCOTE. Luckily, my son Camilo survived and was born by Caesarean section. I was taken from the hospital before the doctors discharged me. In Chorrillos, my stitches were removed and the wound became infected. Antibiotics and malnutrition diminished my ability to lactate.' **PHT**

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We had rights under the constitution, even if the jail regime prohibited them. We made them respect our rights with little things like saying "good morning" (which was prohibited), or singing revolutionary songs and co-ordinating hunger strikes and protests in various prisons. We would protest until things were tacitly permitted. We got punished, even beaten, moved, isolated, but we kept fighting. That's how we gained the right to radios, contact visits, workshops.' **AAS**

Prisoners in all jails have managed to maintain their dignity through continued protest. I know from government sources and prisoners' relatives that in the jail in the naval base where Miguel Rincon (arrested in the same case as I) is currently held, prisoners have also struggled for their rights and to be moved to civilian prisons. The regime there is extraordinarily harsh, especially for the MRTA prisoners who are isolated from the outside world and from each other. The cells are narrow and high (about 4.5m) with no windows, only a hole in the roof about 30cm square to let in air. Prisoners are under the constant surveillance of armed, masked guards.

Three or five or eight years of these conditions takes its toll. It was visible when I saw Rincon in court. He is now nearly blind. All political prisoners in Peru agree that the naval base prison must be closed. ❑

Lori Berenson *was found innocent of being a member of MRTA on 21 June, but guilty of collaboration and sentenced to 20 years in prison. She continues to protest her innocence*

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